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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,533	10/24/2003	Wilfried Schilling	304-816	2303
30448	7590	10/25/2004	EXAMINER	
AKERMAN SENTERFITT P.O. BOX 3188 WEST PALM BEACH, FL 33402-3188			PAIK, SANG YEOP	
			ART UNIT	PAPER NUMBER

3742

DATE MAILED: 10/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/693,533

Applicant(s)

SCHILLING ET AL.

Examiner

Sang Y Paik

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 6-11, 13, 14, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goessler et al (US 5,013,893) in view of Plumptre (US 5,750,959).

Goessler et al shows a display device, a heating device which is divided into several flat heating areas that can be independently activated with a plurality of individually activatable illuminating devices including light emitting means having a segmental form. However, Goessler et al does not show the illuminating devices with separate segments of a geometrical basic shape of circle.

Plumptre shows an illuminating device with a mask or cover having a plurality segments through which the light is emitted so that a more bright and sharp light is projected, and Plumptre also shows that the segments are constructed linearly along the circumference extending over an angle of 90 ° and separated from one another by un-illuminated bridges or separating areas. Plumptre shows that the light emitting means includes the waveguide as well as neon lamps or filament lamps.

In view of Plumptre, it would have been obvious to one of ordinary skill in the art to adapt Goessler et al with a plurality of segments forming a basic shape such as a circular shape to indicate each heating zones and its size in a more bright and sharp image.

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3. Claims 2, 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Goessler et al in view of Plumptre as applied to claims 1, 6-11, 13, 14, 17 and 18 above, and further in view Randolph Jr et al (US 5,162,636).

Goessler et al in view of Plumptre shows the display device claimed except additional illuminating device positioned laterally alongside the basic shapes.

Randolph Jr shows illumination devices where an additional illumination device is provided to another laterally arranged heating element.

In view of Randolph Jr, it would have been obvious to one of ordinary skill in the art to adapt Goessler et al, as modified by Plumptre, with additional illumination device having segments for another laterally positioned heating element.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goessler et al in view of Plumptre and Randolph Jr et al as applied to claims 2, 4 and 5 above, and further in view of McWilliams (US 4,327,280).

Goessler et al in view of Plumptre and Randolph Jr et al shows the display device claimed except the additional illuminating device constructed in the manner of a half or half divided basic shape.

McWilliams shows a heating element that is positioned lateral to another heating element having a half circular shape. In view of McWilliams, it would have been obvious to one of ordinary skill in the art to adapt Goessler et al, as modified by Plumptre and Randolph Jr et al, with a half circular shaped heating element and further having a half or half-divided circular illumination device since Goessler et al, Plumptre and Randolph Jr all show providing the illumination device to take the form or the shape of the heating element.

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5. Claims 12, 19 and 20 rejected under 35 U.S.C. 103(a) as being unpatentable over Goessler et al in view of Plumptre as applied to claims 1, 6-11, 13, 14, 17 and 18 above, and further in view of Welch et al (US 4,121,204).

Goessler et al in view of Plumptre shows the display device claimed except the light emitting means are LEDs.

Plumptre shows that that the light emitting means can be neon lamps or ring-shaped filament lamps. Welch et al shows a display where LEDs are used in place of the neon lamps as the light emitting means, and Welch further shows that the light emitting means can take a segmental form corresponding to each of the display segments.

In view of Welch, it would have been obvious to one of ordinary skill in the art to adapt Goessler et al, as modified by Plumptre, with the light emitting means such as LEDs since such means are known to be alternatively used with other light emitting sources.

With respect to claims 19 and 20, Welch shows it is known in the art to provide a circuit board with a display device mounted along with other electronic components thereon to activate the display device. It would have been obvious to one of ordinary skill in the art to adapt Goessler et al, as modified by Plumptre, with the printed circuit board to electronically control the display device.

6. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goessler et al in view of Plumptre as applied to claims 1, 6-11, 13, 14, 17 and 18 above, and further in view of Scheidler et al (US 5,809,680).

Goessler et al in view of Plumptre shows the display device claimed except the light distribution or light conducting parts made of plastics.

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Scheidler et al shows a light distribution or light conducting parts made from transparent and colored plastic positioned above the light emitting means having several electrical terminals.

In view of Scheidler et al, it would have been obvious to adapt Goessler et al, as modified by Plumptre, with the heat resistant transparent and colored plastic in place of the metallic mask or cover member of Plumptre as an alternative material that can also provide heat-resistant.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huber et al (US 6,376,809) and Husslein et al (US 5,448,036).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Y Paik whose telephone number is 703-308-1147. The examiner can normally be reached on M-F (9:00-4:00) First Friday Off.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Paik

Sang Y Paik
Primary Examiner
Art Unit 3742

syp